

State of Arizona  
Senate  
Forty-eighth Legislature  
Second Regular Session  
2008

## **SENATE CONCURRENT MEMORIAL 1004**

### A CONCURRENT MEMORIAL

URGING THE UNITED STATES CONGRESS TO AUTHORIZE THE UNITED STATES DEPARTMENT OF THE TREASURY TO INTERCEPT FEDERAL TAX REFUNDS TO PAY OVERDUE VICTIM RESTITUTION AND OTHER FINANCIAL OBLIGATIONS ORDERED BY STATE AND LOCAL CRIMINAL AND TRAFFIC COURTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 To the Congress of the United States:

2 Your memorialist respectfully represents:

3 Whereas, between \$500 million and \$1 billion in victim restitution,  
4 fines, fees and surcharges are past due and owed to courts across Arizona;  
5 and

6 Whereas, under current law, the Internal Revenue Service is authorized  
7 to intercept tax refunds for child support debts, state and federal tax debt  
8 and federal agency debt, but not for the collection of court-ordered  
9 restitution, fines and fees; and

10 Whereas, Arizona law currently allows state tax refunds to be  
11 intercepted for past-due court obligations, and in fiscal year 2007,  
12 approximately \$7.1 million was collected through this program and distributed  
13 to victims and various criminal justice agencies throughout the state; and

14 Whereas, legislation has been introduced in Congress, S. 1287, that  
15 would add state court debts to the list of debts that can be withheld from  
16 federal tax refunds. It is estimated that approximately \$70 million could be  
17 collected for Arizona if federal tax refunds were subject to intercept by the  
18 Internal Revenue Service; and

19 Whereas, mechanisms already are in place to intercept this debt and  
20 such a plan would result in no loss to the federal budget. The federal tax  
21 intercept proposal is a fair and simple way to enforce debts owed without  
22 implementing a tax increase.

23 Wherefore your memorialist, the Senate of the State of Arizona, the House of  
24 Representatives concurring, prays:

25 1. That the United States Congress enact S. 1287 or other similar  
26 legislation that would authorize the United States Department of the Treasury  
27 to intercept federal tax refunds to pay overdue victim restitution and other  
28 financial obligations ordered by state and local criminal and traffic courts.

29 2. That the Secretary of State of the State of Arizona transmit copies  
30 of this Memorial to the President of the United States Senate, the Speaker of  
31 the United States House of Representatives and each Member of Congress from  
32 the State of Arizona.